

4-4-22

United States Bankruptcy- Excusable Neglect Hearing

I. Jurisdiction and Venue

1). This is a chapter (11) Bankruptcy Case claim in which creditor Michael T O'BRIEN Begs this GREAT COURT for his claim to be recognized as being filed timely. This court has the authority under the Federal Rule of Bankruptcy procedure 9006 (B)(1) this creditor is requesting for what constitutes as "Excusable Neglect" to be applied to his claim. This creditor personal injury claimant #

were filed by the Purdue Pharma claims processing center after the July 30, 2020 Bar date.

Explanatory "I I Facts"

2) The global Pandemic has slowed and halted my life. Due to the Nation wide lock down, my ability to communicate and correspond has become hindered and also come to a stand still that was beyond my control. At the time this creditor tried to acquire the required claim documents, the United States Postal Service was lacking ~~delays~~ in funds. Due to that, the affected states were informed, mail would be late for outgoing and incoming. This delay transpired

at the same time and several months prior to and after the Courts New "Bar Date". This was out of my control. I am currently incarcerated and have been since 11/20 in Washington State. I only receive two hours of time out of my cell a day. Since the Pandemic, the law library has been shut down, my only means of access to be kept abreast of court proceedings. No publications are received except for USA Today. That has to be purchased from an outside vendor. I am indigent and unable to purchase said publication. I am ignorant to what is transpiring in the outside world. As soon as I could I sent a request for the forms from Purdue Pharma Claims Center C/O Prime Clerk on or about the month of March 2022 and my proof acceptance claim No. 628983

I am Michael Timothy O'Brien, I did attempt to file my claims forms in the fastest time frame possible with regards to my current incarceration and constant state of lock downs the Global Pandemic put everything out of my control

The creditor Michael T O'Brien, alleges that he attempted to follow the courts requirements and rules as best as he was physically capable of doing. In respect to his current incarceration. This creditor "Acted in Good Faith" (Fed Rules Banks procedure Rule 9006 (B)(1) 11 U.S.C.A (c)(1) GUF (LUT) Master S.A.R V Lehman Bros Holdings INC 445 B.R. 137 (S.D. N.Y. 2011)

The creditor is the movant requesting for the acceptance of this claims extension of the bar date so this creditors claims may be recognized as timely.

~~Excusable Neglect~~ Standard that governs a creditors ability to file a proof of claim after the expiration of the claim bar date is a flexible one and excusable neglect may include inadherence, mistake or carelessness as well "Intervening Circumstances" beyond the creditors control. (Fed. R. Bank R.P. 9006 (B)(1) in Re Motors Liquidation Company 576 BR 761 (Bank R.S.D.N.Y. 2017) under the Excusable Neglect standard governing the filing of late proofs of claims.

[REDACTED] Congress plainly contemplated [REDACTED] could be permitted, when appropriate to accept late

late Filings caused by inadvertence, mistake
or carelessness as well as by intervening
circumstances beyond a party's control
(Fed. B. Bank R.P. 2006 (B) in re energy &
Future Holdings Corp. Colq BR. 99 (Bank
R.P. Del 2020

"IV"

wherefore Creditor respectfully prays that this
Great Court enter Judgement Granting the
recognition of A.) Personal Injury B) General claims
proof of claim forms.

Dated this April day of the forth

Respectfully Submitted

"Verification"

I have read the foregoing & hereby verify
that the matters alleged therein are true
except as to matters alleged of information and
belief and as to these I believe them to
be true

I certify under penalty of perjury that
the foregoing is true and correct

dr o'h

XXX-Y

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Honorable Judge Robert P. Dran
United States Bankruptcy Court
Southern District of NY
300 Greenwich Street
White Plains, NY 10601

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